Applicant: Gary A. Clawson et al. Attorney's Docket No.: 14017-0009US1 / PSU 2002-

2669

Serial No.: 10/552,914

Filed : October 13, 2005

: 5 of 6 Page

REMARKS

The Examiner rejected claims 160-162. Claims 143-159 have been cancelled without prejudice. In addition, claims 163-174 have been added. Thus, claims 160-174 are pending.

Claim 160 has been amended to its originally presented form. New claims 163-174 depend from amended claim 160. Applicants' specification fully supports these amendments. See, e.g., originally filed claims 27 and 126-129. Thus, no new matter has been added.

In light of these amendments and the following remarks, Applicants respectfully request reconsideration and allowance of claims 160-174.

Rejection under 35 U.S.C. § 103

The Examiner rejected claims 160-162 as allegedly being unpatentable over Nilsen et al. (U.S. Pat. No. 6,013,447) in view of Taira et al. (U.S. Pat. Pub. No. 2004/0002077) and Hertzel et al. (J. Lipid Res., 41: 1082-1086 (2000)).

Applicants respectfully disagree and request withdrawal of these rejections. As demonstrated by the attached Declarations under 37 C.F.R. § 1.131, Applicants invented the presently claimed subject matter prior to the filing date of the Taira et al. reference.

For these reasons and others, Applicants respectfully request withdrawal of the rejection of claims 160-162 under 35 § U.S.C. 103(a).

Attorney's Docket No.: 14017-0009US1 / PSU 2002-2669

CONCLUSION

Applicants submit that claims 160-174 are in condition for allowance, which action is respectfully requested. The Examiner is invited to telephone the undersigned attorney if such would expedite prosecution. No fees are believed due. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: April 6, 2009 /Lisbeth C. Robinson/

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